

Message Text

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ACTION VO-03

INFO OCT-01 ARA-06 ISO-00 CIAE-00 FBIE-00 INSE-00 NSAE-00

SCA-01 ORM-02 DHA-02 /015 W
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P 041804Z FEB 76

FM AMEMBASSY SANTIAGO

TO SECSTATE WASHDC PRIORITY 7018

C O N F I D E N T I A L SANTIAGO 0939

EO 11652: GDS

TAGS: SREF, CVIS, CI: (CARLOS ROSENDO CANDIA MONTECINOS)

SUBJECT: REFUGEE AND MIGRATION AFFAIRS: PAROLE OF CHILEAN
DETAINEES AND REFUGEES (CANDIA MONTECINOS, CARLOS ROSENDO) S-105

REF: STATE 16954, 75 SANTIAGO 8552, 75 STATE 293022, 75 STATE
223888

1. IN ORDER TO MAKE A DETERMINATION REFERRED TO IN PARA 2
STATE 16954, EMBASSY WILL HAVE TO CONDUCT ANOTHER INTERVIEW
WITH DETAINEE. A TRIP TO THAT AREA IS BEING PLANNED FOR THE
SECOND WEEK IN FEBRUARY.

2. HOWEVER, THERE APPEARS TO BE SOME CNFUSION IN PROPER
SECTION OF INA UNDER WHICH MIR AFFILIATES SHOULD BE DENIED.
STATE 223888 DENIED WAIVER REQUEST FOR CARMEN CASTILLO
ECHEVERRIA "BECAUSE OF MISS CASTILLO'S CONTINUING ACTIVE
ASSOCIATION WITH THE MOVEMENT OF REVOLUTIONARY LEFT (MIR)
WHICH HAS ENGAGED IN TERRORIST ACTIVITIES AS PROSCRIBED UNDER
SECTION 212(A)(28)(F)(II)(III) AND (IV)". IN THE CASE OF
MIRTA DIAZ NEE COMPAGNET GODOY, DEPT DETERMINED SHE WAS
INELIGIBLE UNDER SECTION 212(A)(28)(C) BECAUSE OF AFFILIATION
WITH MIR. WHICH SECTION OF THE ACT ARE WE TO USE? IT IS THE
EMBASSY'S OPINION THAT SECTION (28)(F) IS THE APPROPRIATE
ONE BUT USING DIAZ' REFUSAL AS SAMPLE CASE, WE RECENTLY HAVE
BEEN USING (28)(C). WE WOULD APPRECIATE DEPARTMENT'S GUIDANCE
IN THIS MATTER.

POPPER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: REFUGEE RESETTLEMENT, PAROLE, REPORTS
Control Number: n/a
Copy: SINGLE
Draft Date: 04 FEB 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: blochd0
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976SANTIA00939
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760042-0749
From: SANTIAGO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760282/aaaacupd.tel
Line Count: 60
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION VO
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 76 STATE 16954, 76 SANTIAGO 8552, 76 STATE 293022
Review Action: RELEASED, APPROVED
Review Authority: blochd0
Review Comment: n/a
Review Content Flags:
Review Date: 14 JUL 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <14 JUL 2004 by coburnhl>; APPROVED <01 NOV 2004 by blochd0>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: REFUGEE AND MIGRATION AFFAIRS: PAROLE OF CHILEAN DETAINEES AND REFUGEES (CANDIA MONTECINOS, CARLOS ROSENDO) S-105
TAGS: SREF, CVIS, CI, (CANDIA MONTECINOS, CARLOS ROSENDO)
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006